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OFFICE OF PETITIONS

In re Application of :
John Hevesi et al :
Application No. 10/822,159 : DECISION ON PETITION
Filed: April 12, 2004 :
Attorney Docket No. 22306.0101PTUS :

This is a decision on the petition under 37 CFR 1.137(b), filed January 25, 2007, to revive the above-identified application.

The petition is **GRANTED**.

The application became abandoned for failure to timely reply within the meaning of 37 CFR 1.113 to the final Office action, mailed June 29, 2006, which set a shortened statutory period for reply of three (3) months. A three month extension of time was obtained under the provisions of 37 CFR 1.136(a). Accordingly, the application became abandoned on December 30, 2006. A Notice of Abandonment was mailed on January 29, 2007, subsequent to the filing of the present petition to revive.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the required reply in the form of a request for continued examination, \$395 filing fee, and submission as required by 37 CFR 1.114, (2) the petition fee of \$750, and (3) a proper statement of unintentional delay. Accordingly, the failure to timely reply to the final Office action of June 29, 2006 is accepted as being unintentionally delayed.

This application is being referred to Technology Center AU 3617 for processing the request for continued examination and for appropriate action in the normal course of business on the submission under 37 CFR 1.114.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3218.



Frances Hicks
Petitions Examiner
Office of Petitions